

6 transmitting the at least one bid to the end user;
7 allowing the end user to select an expert who corresponds to a transmitted bid;
8 notifying the selected expert of acceptance of the selected expert's bid;
9 receiving from the selected expert an expert answer responsive to the end user
10 request; and
11 transmitting the expert answer to the end user.--

R E M A R K S

Claims 177-190 and 193-195 are now in this application, claims 1, 67, 113, 190 and 191 having been cancelled and new claims 193-195 added in this paper. Claims 177-190 stand rejected and are now presented for reconsideration in view of the following remarks.

Claims 177-190 were "rejected under 35 U.S.C. §103 as being unpatentable" over an asserted combination of the Harte reference considered with "Official Notice".

In explaining this rejection the Examiner compared alleged features of the prior art with former claims 191 and 192. The Examiner further stated that claims 177-185 "recite the same claim limitations as claims 191-192". However, applicants respectfully submit that this statement is incorrect, and that there are significant claim limitations recited in independent claims 177-179 and 185 which are not included in the former claims 191 and 192 specifically considered by the Examiner.

Consequently, it is submitted that the Examiner has failed to consider significant aspects of the claimed invention.

In particular, claims 177, 178 and 185 all recite the feature of "receiving a signal from the second expert that indicates approval of the first expert qualification";

similarly claim 179 recites "receiving a signal from the set of experts that indicates approval of the first expert qualification".

Accordingly, as the Examiner will observe by considering claims 177-179 and 185, these claims are concerned with a computer implemented expert matching method in which an expert to be matched with an end user has his or her qualifications approved by a second expert or a panel of experts. This helps to assure that experts provided for communication with an end user are appropriately qualified.

This feature simply is not present in the Harte reference nor in the alleged prior art features of which Official Notice was taken.

It will be noted that the Harte reference is concerned with an electromechanical device for teaching or testing students, and has no bearing whatsoever on a method in which a second expert or group of experts provides approval of a qualification of a first expert. Neither was this feature considered by the Examiner in his discussion of Official Notice.¹

It is accordingly submitted that claims 177-179 and 185, and the accompanying dependent claims, are patentable over the prior art of record by virtue of claim features that were not considered by the Examiner in the pending Office Action. These features also serve to distinguish claims 177-190 from the Nielsen Patent No. 5,948,054, which was cited by applicants in a Supplemental Information Disclosure Statement filed herein on May 19, 2000.

¹ Applicants hereby challenge the Examiner's taking of Official Notice. In the event that the Examiner chooses to maintain any of the pending rejections, it is respectfully requested that the Examiner cite one

New independent claim 193 is directed to a "computer implemented expert matching method for managing communications between an expert and an end user". Among the significant features of this claim are the steps of "providing to the end user a list of at least one expert ..." and "allowing the end user to select an expert from the list".

Claim 195 likewise is directed to a "computer implemented expert matching method for managing communications between an expert and an end user" and includes significant features such as "receiving at least one bid on the end user request from the at least one expert" and "transmitting the at least one bid to the end user".

These features referred to immediately above in regard to claims 193 and 195 are believed to render these claims patentably distinguishable from the Nielsen patent cited by the applicants. Moreover, these features, as well as other features of the claims, are believed to patentably distinguish over the teaching and testing apparatus of the Harte reference as well as the alleged prior art features of which the Examiner has taken Official Notice. At no point in the pending Office Action has the Examiner referred to the now recited claim features of allowing an end user to select an expert from a list, or receiving and transmitting to an end user a bid from an expert.

Claims 193-195 are accordingly submitted as patentable over the prior art of record.

or more prior art references to support his assertions of features allegedly present in the prior art of which Official Notice was purportedly taken.

For the foregoing reasons it is believed that all of the claims are now in condition for allowance and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Nathaniel Levin at telephone number (203) 461-7114 or via electronic mail at nlevin!@walkerdigital.com.

If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

8/31/00
Date

Respectfully submitted,



Nathaniel Levin
Attorney for Applicants
Registration No. 34,860
nlevin@walkerdigital.com
Walker Digital Corporation
Five High Ridge Park
Stamford, CT 06905-1325
(203) 461-7114/voice
(203) 595-8266/fax